

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF THE SOUTHERN OHIO TELEPHONE )  
COMPANY TO CONSTRUCT FACILITIES FOR A CELL ) CASE NO. 90-325  
SITE IN BOONE COUNTY, KENTUCKY )

O R D E R

On October 25, 1990, Southern Ohio Telephone Company ("SOTCo") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a cellular radio telecommunications antenna tower in the Cincinnati, Ohio Metropolitan Statistical Area ("Cincinnati MSA").

The proposed cell facility is designed to improve SOTCo's existing service in the Cincinnati MSA. The proposed facility consists of a 94 foot antenna tower to be located at the Southwest corner of the intersection of Ridgedale Road and State Route 20 in Boone County, Kentucky.

Attached to its application, SOTCo provided copies of notice of the proposed tower site location to each resident and property owner within 500 feet of the proposed tower site. The notice solicited comments from residents and property owners. The Commission received one written comment from a person who resides or owns property in the vicinity of the proposed cell site,

expressing the concern that an airplane may hit the tower, causing the tower to fold and collapse on itself, but also causing the airplane to crash in the community. On January 14, 1991, SOTCo filed a response addressing the issues raised by the comment. SOTCo does not anticipate the tower to interfere with air traffic as the tower's height and location have been approved as being safe by the Federal Aviation Administration ("FAA") on December 11, 1990. Furthermore, the FAA approved the antenna tower height to be 94 feet rather than 200 feet which was originally proposed by SOTCo.

SOTCo also provided information regarding the structure of the tower, safety measures, and antenna design criteria. The tower design conforms to all standard engineering codes. The tower should withstand high winds, tornadoes, and earthquakes. Should the tower start to fall, the tower is so designed that it should bend along its length and fold upon itself rather than falling in the direction of any building within its radius.

Pursuant to KRS 100.324(1), the proposed cell site construction is exempt from local zoning ordinances. However, SOTCo notified the Boone County Planning Commission of its proposed construction by letter dated September 17, 1990. On December 2, 1990, the Planning Commission responded to SOTCo confirming that SOTCo is not required to receive zoning approval from the Boone County Planning Commission.

The Federal Communications Commission ("FCC") has already granted SOTCo authority to provide service in the Cincinnati MSA

which includes Southern Ohio and Northern Kentucky; therefore, no further approval of the FCC is required.

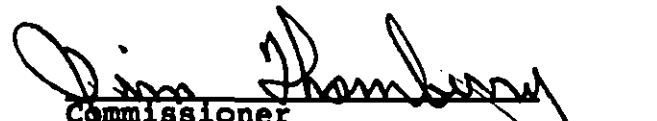
The Commission having considered the evidence of record and being otherwise sufficiently advised, HEREBY ORDERS that SOTCo shall be granted authority to construct a cellular radio telecommunications antenna tower 94-feet in height in the Cincinnati MSA, at Southwest corner of the intersection of Ridgedale Road and State Route 20 in Boone County, Kentucky.

Done at Frankfort, Kentucky, this 20th day of February, 1991.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director